

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 19169 of 2007(F)

PETITIONER:

C.K.SOBHANA,
HEADMISTRESS, A.U.P.S., NHANGATTUR P.O.,
NHANGATTIRI.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
PALAKKAD.
2. THE ASSISTANT EDUCATIONAL OFFICER,
THRITHALA.

BY GOVT. PLEADER SHRI. T.T.MAHMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE ORDER DT. 19.7.2005 OF THE GOVERNMENT

EXT.P2: -DO- OF THE ORDER DT. 30.5.2006 OF THE DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM

EXT.P3: -DO- OF THE JUDGMENT DT. 6.6.2006 IN W.P(C) NO: 14649/06 AND CONNECTED CASES

EXT.P4: -DO- OF THE APPOINTMENT ORDER DT. 7.6. 2006 ISSUED TO THE PETITIONER

EXT.P5: -DO- DT. 6.10.2006 OF THE GOVERNMENT

EXT.P6: -DO- OF THE ORDER DT. 13.10.2006 IN W.P(C) NO: 26823 OF 2006

EXT.P7: -DO- OF THE ORDER DT. 17.6.2006 OF THE 2ND RESPONDENT

EXT.P8: -DO- OF THE ORDER DT. 19.5.2007 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER

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/TRUE COPY/

P.A. TO JUDGE

S. SIRI JAGAN, J.

WP(C).No. 19169 OF 2007 F

Dated this the 23rd October, 2007.

JUDGMENT

The petitioner claims to be the seniormost U.P.S.A working in the A.U.P.S., Nhangattiri. In view of a dispute among the members of the educational agency regarding Managership, the School is now administered by the District Collector. In the above circumstances the promotion of the petitioner as Headmistress of the School has not been approved. The petitioner seeks a direction to the A.E.O. to pass orders on the question of approval of the petitioner as Headmistress.

2. The Learned Govt. pleader submits that as per the orders issued in this regard the District Collector can only attend to the day to day affairs of the School.

3. It is settled law that management dispute of an School shall not stand in the way of approval of appointments and promotions in an aided School.

5. In the above circumstances I am satisfied that the question of approval of the petitioner's appointment as Headmistress should be considered expeditiously, notwithstanding the pendency of the management dispute. Accordingly I direct the second respondent to consider the question of approval of the petitioner as Headmistress of A.U.P.S., Nhangattiri and pass appropriate orders there on in accordance with law, notwithstanding the management

dispute, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. Writ petition is disposed of accordingly.

S. SIRI JAGAN
Judge

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